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PLEASE REPLY TO ROSELAND, NJ

September 10, 2013

### VIA ECF

Hon. Susan D. Wigenton, U.S.D.J.  
King Building & U.S. Courthouse  
50 Walnut St., P.O. Box 999  
Newark, NJ 07101-0999

**Re: *New Jersey Back Institute aso J.R. v. Horizon Blue Cross Blue Shield of New Jersey***  
**Civ. No. 12-4985 (SDW/MCA)**

Dear Judge Wigenton:

This firm represents Defendant Horizon Blue Cross Blue Shield of New Jersey (hereinafter "Horizon") in the above-referenced matter. Horizon currently has a motion for summary judgment pending before Your Honor, which has a return date of September 16, 2013. With the consent of Plaintiff, Horizon respectfully requests an adjournment of the return date to the next available motion date of October 7, 2013. Accordingly, Horizon's response to Plaintiff's opposition to the motion for summary judgment would then be due on or about September 30, 2013.

This request for an adjournment is due to the parties attempting to settle the matter, as well as providing Horizon additional time to respond to the opposition filed by Plaintiff that was contemplated by the original briefing schedule entered on or about May 30, 2013. (Dkt. Ent. 14). Furthermore, conflicting vacation schedules and the unavailability of counsel has led to this request. Plaintiff consents to this request and will not be prejudiced by the same.

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As always, we are available to answer any questions Your Honor or Your Honor's staff may have on this matter. If this request meets with Your Honor's approval, for the Court's convenience, a "So Ordered" signature line is included *infra*.

Respectfully submitted,

/s/ Matthew A. Baker  
Matthew A. Baker

cc: Andrew Bronsnick, Esq. (Via CM/ECF and Email)

**IT IS SO ORDERED** this \_\_\_\_\_ of September 2013 that Horizon's reply to the opposition filed by Plaintiff shall be filed **September 30, 2013**.

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HON. SUSAN D. WIGENTON, U.S.D.J.